

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA
Plaintiff,

v.

PRCHOU, LLC; MUKADAS D. KURBAN;
APAR PATAER; ABDUL R. DAWOOD;
and MARIA E. DAWOOD
Defendants.

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CIVIL ACTION NO. 24-796

NOTICE OF NO OPPOSITION TO
PLAINTIFF'S MOTION TO STRIKE AFFIRMATIVE DEFENSES

Plaintiff, Travelers Casualty and Surety Company of America (the "Surety"), files this its Notice of No Opposition from the Defendants, PRCHOU, LLC; Mukadas D. Kurban; Apar Pataer; Abdul R. Dawood; and Maria E. Dawood (collectively, "Indemnitors"), to the Surety's Motion to Strike Affirmative Defenses.¹ In support, the Surety respectfully states as follows:

On August 9, 2024, the Surety filed a motion seeking to strike affirmative defenses asserted by the Indemnitors. Pursuant to Local Rule 7.4, the Indemnitors had until Friday, August 30, 2024, to file responsive briefing. *See also* Local Rule 7.3 (submission date is "21 days from filing without notice from the clerk."). The Indemnitors requested a 2-week extension on the deadline for a response, which was unopposed by the Plaintiff.² A 2-week extension made Friday, September 13, 2024, the deadline for any response in opposition.

¹ Dkt. 25

² Dkt. 26

The Indemnitors have elected not to file a response in opposition to the motion of the Surety. Accordingly, under the local rules, “[f]ailure to respond to a motion will be taken as a representation of no opposition.” Local Rule 7.4.

REQUEST FOR RELIEF

For the foregoing reasons, the Surety requests that the Court grant its motion to strike the affirmative defenses of the Indemnitors, detailed further in docket entry No. 25. The Surety prays for such other and further relief, both at law and in equity to which it may be justly entitled.

Respectfully submitted,

BAINS LAW PLLC

By: /s/ Brandon K. Bains

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**ATTORNEY FOR TRAVELERS CASUALTY
AND SURETY COMPANY OF AMERICA**

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing has been served pursuant to Federal Rules of Civil Procedure upon the following counsel of record on this the 16th day of September, 2024:

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